IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

WP(C).No. 34076 of 2004(F)

PETITIONERS:

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1. **SANISH KUMAR. P.S., S/O. SASIDHARAN NAIR AGED 20 YEARS, PATHICKAL HOUSE, AMANANOOR P.O., KOTTAYAM.**

2. **JOSEPH SEBASTIAN, S/O. SEBASTIAN AGED 21 YEARS, THONDANPALLIL HOUSE, AMAYANNOR P.O., KOTTAYAM.**

3. **DEMINSE K. THOMAS, S/O. THOMAS, AGED 21 YEARS, KIZHAKKENATHU HOUSE, MUKKULAM EAST, KOTTICKAL (VIA), PIN-680 514.**

4. **ROBIN K. MATHEW, S/O. MATHEW, AGED 21 YEARS, AMBATTU HOUSE, PERUVANTHANAM P.O., 36 MILE, IDUKKI DISTRICT.**

BY ADV. SRI.A.J.VARGHESE.

RESPONDENTS:

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1. **DIRECTOR GENERAL, NATIONAL COUNCIL FOR VOCATIONAL TRAINING, SRAM SAKTHI BHAVAN, RAFFI MARG, NEW DELHI.**

2. **NATIONAL COUNCIL FOR VOCATIONAL TRAINING, SRAM SAKTHI BHAVAN, REP. BY SECRETARY, SRAM SAKTHI BHAVAN, RAFFI MARG, NEW DELHI.**

3. **STATE OF KERALA, REP. BY SECRETARY INDUSTRIAL DEPARTMENT, THIRUVANANTHAPURAM.**

W.P.(C). NO.34076/2004:

4. DIRECTOR, INDUSTRIAL TRAINING DEPARTMENT, THIRUVANANTHAPURAM.

5. PRINCIPAL, PALLICKATHODU, P.T.C.M. GOVT. I.T.I., PALLIKKATHODE, ANIKADU EAST P.O., KOTTAYAM.

BY ADV. SRI. P. PARAMESWARAN NAIR, ASST. S.G.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.34076/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE PROSPECTUS FOR THE COURSE OF STUDY OF THE PETITIONERS DURING THE YEAR 2001-2003.

EXT.P.2: COPY OF THE PROVISIONAL NATIONAL TRADE CERTIFICATES IN THE TRADE OF MECHANIC (REFRIGERATION AND AIR CONDITION) ISSUED TO THE PETITIONERS.

EXT.P.3: COPIES OF THE HALL TICKETS FOR THE ALL INDIA TRADE TEST IN JULY 2003.

EXT.P.4: COPY OF THE LETTER NO. C3/11302/2003 DTD. 26/04/2004 SENT BY THE R.4. TO THE JOINT DIRECTOR OF THE R.2.

EXT.P.5: COPY OF THE CERTIFICATE HAVING THE AFFILIATION WITH THE NCVT OF ANOTHER III.

RESPONDENT'S EXHIBITS:

EXT.R1.A: COPY OF THE JUDGMENT IN W.P.(C). NO. 5629/2004 DTD. 23/02/2004.

EXT.R1.B: COPY OF THE ORDER IN W.P.(C). NO. 33626/2003 DTD. 19/08/2004.

EXT.R1.C: COPY OF THE JUDGMENT IN W.P.(C). NO. 30784/2003 DTD. 07/06/2004.

//TRUE COPY//

prv.

KURIAN JOSEPH J.

W.P.(C) No.34076 of 2004

Dated 20th July, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus or any other appropriate writ order or direction directing the respondents 1 to 4 to grant affiliation for the Trades of Mechanic (Refrigeration and Air Condition) and Painter General Trades/Courses of P.T.Chacko Memorial, I.T.I. Pallickathode from the N.C.V.T. with retrospective effect and to issue certificates to the petitioners in the Trades Mechanic (Refrigeration and Air Condition) and Painter General being an affiliated course with the National Council for Vocational Training on the basis of the report and recommendation of the standing committee of the NCVT."

In the light of Ext.R1(c) judgment in W.P.(C) No.30784/03, it is for the petitioners to approach the 4th respondent, as stated in the counter affidavit filed by the first respondent, in which case, appropriate action in accordance with law in the matter will be taken, within another three months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 20th July, 2007.